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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PATHFINDER MANAGEMENT, INC.,
and RADIANT TECHNOLOGIES, INC.,
Plaintiffs,

Civil Action No.: 06-2204 (WJM)

v.

MAYNE PHARMA PTY, an Australian Corporation; SYMBION HEALTH, LTD., an Australian Corporation (formerly known as MAYNE GROUP LTD, an Australian Corporation); MAYNE PHARMA (USA) INC., a Delaware Corporation; FAULDING CONSUMER HOLDINGS, INC., a Delaware Corporation; SYMBION PHARMACY SERVICE PTY, LTD, an Australian Corporation; FAULDING HEALTH-CARE INTERNATIONAL HOLDINGS, INC., a Delaware Corporation; FAULDING HEALTHCARE US HOLDINGS, INC., a Delaware Corporation; ABC CORPORATIONS 1 THROUGH 10 (as fictitious entities); STUART HINCEN, individually; JOHN WINNING, individually; ANDREW VIDLER, individually; FRANK SCANLAN, individually, and JOHN DOE DEFENDANTS 1 through 10 (as fictitious persons),

Defendants.

**NOTICE OF MOTION TO DISMISS
AMENDED COMPLAINT**

Return Date: January 8, 2007

TO: KEVIN M. KILCOMMONS, ESQ.
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Management, Inc. and Radiant
Technologies, Inc.

PLEASE TAKE NOTICE that Defendants Mayne Pharma Pty, Symbion Health, Ltd., Mayne Pharma (USA) Inc., Faulding Consumer Holdings, Inc., Symbion Pharmacy Service Pty, Ltd., Faulding Health-Care International Holdings, Inc., Faulding Healthcare US Holdings, Inc., Stuart Hinchin, John Winning, Andrew Vidler, and Frank Scanlan (collectively "Defendants") will apply to this Court at the Martin Luther King, Jr. Federal Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey, on January 8, 2007 at 9 a.m., before the Honorable William J. Martini, for an Order, pursuant to Rules 9(b), 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Amended Complaint in this action.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants will rely upon the attached Memorandum of Law, Declaration of Richard Hernandez with attached exhibit, Declaration of Frank Scanlan, Declaration of John Winning, Declaration of Andrew Vidler, and Declaration of Simon Loftus.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is enclosed.

Respectfully Submitted,

Dated: December 8, 2006

s/ William D. Wallach
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